

**FILED**  
 AUG 16 2017  
 for the  
 Northern District of New York  
 AT 10 O'CLOCK  
 Lawrence K. Baerman, Clerk - Syracuse

UNITED STATES DISTRICT COURT

UNITED STATES OF AMERICA

v.

BRANDON JOCK,

Defendant.

Northern District of New York

Case No.

8:17-mj-357(TWD)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of April 2017 through August 2017 in the county of St. Lawrence in the Northern District of New York the defendant violated:

\*\*

*Code Section*  
 18 U.S.C. § 2251(d)(1)(A)  
 18 U.S.C. § 2252A(a)(2)(A)

*Offense Description*  
 Advertisement, [REDACTED] and Distribution of Child Pornography

This criminal complaint is based on these facts:  
 See attached affidavit

☒ Continued on the attached sheet.


  
 Complainant's signature

Heather Weber, Special Agent

*Printed name and title*

Sworn to before me and signed in my presence.

Date: August 16, 2017

  
 Judge's signature

City and State: Syracuse, NY

Hon. Thérèse Wiley Dancks, U.S. Magistrate Judge

*Printed name and title*

\*\*REDACTED ON GOVERNMENT MOTION

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Heather L. Weber, being duly sworn, depose and state:

**I. INTRODUCTION**

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI"). I have been so employed by the FBI since September 2014. I am currently assigned to the Albany Division, Albany, New York. I have participated in investigations of persons suspected of violating federal child pornography laws, including Title 18, United States Code, Sections 2251, 2252 and 2252A. I have received training in the area of child sexual exploitation and have had the opportunity to observe and review numerous examples of child pornography in all forms of media including computer media.

2. This affidavit is made in support of an application for a criminal complaint charging Brandon Jock with violating 18 U.S.C. § 2251(d)(1)(A) (making, printing, or publishing a notice or advertisement seeking or offering to receive, exchange, buy, produce, display, distribute, or reproduce child pornography), and § 2252A(a)(2)(A) (distribution of child pornography).

3. The statements contained in this affidavit are based on my involvement in this investigation, as well as information provided to me by other law enforcement officers, and upon my training and experience. Because this affidavit is being submitted for the limited purpose of seeking a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that Brandon Jock has committed violations of 18 U.S.C. §§ 2251(d)(1)(A), and 2252A(a)(2)(A).

## II. THE INVESTIGATION AND FACTUAL BASIS

4. On June 26, 2017, your affiant received information that during the course of a child exploitation investigation, FBI Salt Lake City Division arrested someone using a Kik account to trade child pornography. During the course of the FBI's investigation, the subject, Individual A, consented to law enforcement's use of his Kik account to identify other traders of child pornography. Using Individual A's account, an FBI Special Agent operating in an undercover capacity was able to identify three Kik usernames as administrators and members of two Kik groups between April 12, 2017 and April 27, 2017. For purposes of this affidavit, those Kik groups will be identified as "Group A" and "Group B,"

5. The posted rules for "Group B" includes the following: "Every member have to be under 18 years...Every new member have to send immediately his age and a live nude with complete body and face one times a week in the group...Nude means with erect dick..."

6. On today's date, your affiant and other law enforcement officers executed a search warrant, authorized by this Court, on a residence in Massena NY. Brandon Jock was located at the residence and agreed to be interviewed by your affiant and NYSP Inv. Todd Grant.

7. In a *Mirandized* statement at the NYSP Barracks in Massena, NY, Jock admitted using all three of the Kik usernames identified by the undercover agent in Salt Lake City. He also admitted that he is the administrator of two Kik member groups, including "Group B" and another group, "Group C." He admitted that the Kik member groups were created specifically for individuals to distribute child pornographic material, discuss their sexual interests in children, and discuss the latest technologies available to circumvent law enforcement's investigative methods to identify individuals involved in child pornography. Jock stated that as administrator of the groups he is responsible for establishing and enforcing member rules, including vetting members' access,

and ensuring compliance with the rules. The rules included posting child pornography routinely, and posting only images or videos that correspond to the advertised child pornography descriptions. For example, if the advertisement requested pornographic material of boys, Jock would ban a group member for posting material depicting girls.<sup>1</sup>

8. As a part of the investigation, the undercover agent <sup>from the Division</sup> in Salt Lake City accessed the two videos described below through Group B. They had been posted by Jock between April 12 and 13, 2017:

- a. A video that is approximately 2 minutes in length and depicts an adult male manually stimulating a prepubescent male's penis.
- b. A video that depicts a male who appears to be under the age of 15 digitally penetrating his own anus.

9. Between April 12 and 14, 2017, links to two Dropbox<sup>2</sup> accounts were posted within Group A. The undercover agent accessed one of the Dropbox links, posted by one of Jock's usernames, and on April 12, 2017 downloaded from that link the contents of a file entitled "boy love vids wanking." One of the videos in this folder is entitled "7.avi." It is approximately 32 minutes in length and depicts what appears to be a <sup>for</sup> prepubescent male under the age of 13 displaying his erect penis in a lewd and lascivious manner and performing oral sex on a male who

<sup>1</sup> 18 U.S.C. 2251(d)(1)(A) makes it unlawful to make, print, or publish, or cause to be made, printed, or published, any notice or advertisement seeking or offering to receive, exchange, buy, produce, display, distribute, or reproduce child pornography in and affecting interstate and foreign commerce. This includes posting links that lead others to access child pornography. *United States v. Christie*, 570 F.Supp.2d 657, 691 (D.N.J. 2008); *United States v. Sewell*, 513 F.3d 820, 821-22 (8<sup>th</sup> Cir. 2008); *see also United States v. Rowe*, 414 F.3d 271 (2d Cir. 2005).

<sup>2</sup> Dropbox is a file hosting service operated by American company Dropbox, Inc., headquartered in San Francisco, California, that offers cloud storage, file synchronization, personal cloud, and client software. Dropbox creates a special folder on the user's computer, the contents of which are then synchronized to Dropbox's servers and to other computers and devices that the user has installed Dropbox on, keeping the same files up-to-date on all devices.



appears to be under the age of 16. During today's interview, Jock was shown this video and recognized it as one that he intentionally shared over the internet.

10. Jock further admitted that he currently possesses approximately 160 gigabytes of child pornographic material on various encrypted cloud storage accounts. Jock stated that he possessed this child pornographic material for sexual gratification and to distribute to the various child pornographic member groups that he administered. Jock advised that he has acted in concert with the various group creators to ensure that the members of the groups were not law enforcement and abided by all of the groups rules.

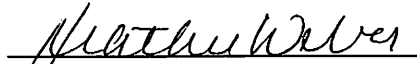
11. Jock reviewed three of his Dropbox accounts with your affiant and Inv Grant. One of the Dropbox accounts contains a folder, which is configured to be shared, and is entitled "New Babies." This folder contains dozens of videos and images, one of which is entitled "vid\_20170524\_142005.mp4." This video file depicts an infant with what appears to be a cloth over her eyes. Her arms and legs are spread and tied down to a bed, and an adult male is depicted vaginally penetrating her with his erect penis. The Dropbox account indicates that this file was being shared since 7/15/2017 at 11:21pm, until law enforcement disabled it. Another folder entitled "Boy and Boy," also configured to be shared, contains a video entitled "2013\_02\_10\_16\_15\_13\_ab6a2e7b2e.flv," depicting two male children, who appear to be under the age 16, engaged in mutual hand to penis masturbation. The Dropbox account indicated this file was being shared since 7/18/2017 at 12:44pm until law enforcement disabled it.

12. Jock admitted that he has employed various techniques to evade law enforcement detection such as masking his IP address to make it appear that he is located overseas.

### **III. CONCLUSION**

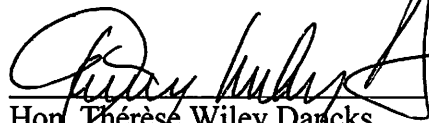
13. Based upon the above information, there is probable cause to believe that Brandon

Jock knowingly made, printed or published, or caused to be made, printed, or published, any notice or advertisement seeking or offering to receive, exchange, buy, produce, display, distribute, or reproduce visual depictions involving the use of a minor engaging in sexually explicit conduct, knowing and having reason to know that such notice or advertisement would be transported using any means and facility of interstate or foreign commerce or in and affecting such commerce by any means, including by computer, or that such notice or advertisement was actually transported using any means and facility of interstate or foreign commerce or in and affecting such commerce by any means including by computer, in violation of Title 18, United States Code, Section 2251(d)(1)(A), and that he has distributed child pornography using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2252A(a)(2)(A).

  
Heather Weber  
Special Agent  
Federal Bureau of Investigation

Sworn to me

This 16<sup>th</sup> day of August 2017

  
Hon. Thérèse Wiley Dancks  
United States Magistrate Judge